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6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA, )  
9 Plaintiff, )  
10 v. ) 3:11-CR-138-HDM (WGC)  
11 BEN JASE MCCULLEY, )  
12 Defendant. )

13 **PRELIMINARY ORDER OF FORFEITURE**

14 This Court finds that on February 13, 2012, defendant BEN JASE MCCULLEY pled guilty  
15 to Count One of a One-Count Criminal Indictment charging him with Receipt of Child Pornography,  
16 in violation of Title 18, United States Code, Section 2252A(a)(2) and (b). Docket # 1, #20.

17 This Court finds defendant BEN JASE MCCULLEY agreed to the forfeiture of the property  
18 set forth in Forfeiture Allegation of the Criminal Indictment. #21.

19 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America  
20 has shown the requisite nexus between property set forth in the Forfeiture Allegation of the Criminal  
21 Indictment and the offense to which defendant BEN JASE MCCULLEY pled guilty.

22 The following asset are subject to forfeiture pursuant to Title 18, United States Code, Section  
23 2253:

- 24 1. One Compaq Laptop Computer, Serial No. CND6091ZM8;  
25 2. Dell Computer Tower, Model DCMF, Serial No. 16WKRF1;  
26 3. Maxtor 160 Gigabyte Hard Drive, Serial No. Y449M59E;

4. IBM Deskstar 20.5 Gigabyte Hard Drive, Serial No. JMFZ230Z;
5. IBM 8.4 Gigabyte Hard Drive, Serial No. WE0F6735;
6. IBM Deskstar Hard Drive, Serial No. SX3D9067;
7. Seagate Freeagent 1.5 Terabyte Hard Drive, Serial No. 2GET6E0X;
8. Gray Compaq Tower, Serial No. 6JZAKH34X00Z;
9. Green Cyber Power Tower, Serial No. 032007807; and
10. any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped, or received in violation of Title 18, United States Code, Section 2252A(a)(5)(B) (“property”).

This Court finds the United States of America is now entitled to, and should, reduce the aforementioned property to the possession of the United States of America.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the United States of America should seize the aforementioned property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of BEN JASE MCCULLEY in the aforementioned property is forfeited and is vested in the United States of America and shall be safely held by the United States of America until further order of the Court.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America shall publish for at least thirty (30) consecutive days on the official internet government forfeiture website, [www.forfeiture.gov](http://www.forfeiture.gov), notice of this Order, which shall describe the forfeited property, state the time under the applicable statute when a petition contesting the forfeiture must be filed, and state the name and contact information for the government attorney to be served with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

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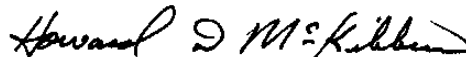
1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed  
2 with the Clerk of the Court, Bruce R. Thompson U.S. Courthouse and Federal Building, 400 South  
3 Virginia Street, 3<sup>rd</sup> Floor, Reno, NV 89501.

4 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,  
5 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the  
6 following address at the time of filing:

7 Greg Addington  
8 Assistant United States Attorney  
9 100 West Liberty Street, Suite 600  
Reno, NV 89501

10 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein  
11 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency  
12 following publication of notice of seizure and intent to administratively forfeit the above-described  
13 property.

14 DATED this 17<sup>th</sup> day of February, 2012.

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18 UNITED STATES DISTRICT JUDGE  
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